

Table 25

**REASONS GIVEN BY SENTENCING COURTS FOR DOWNWARD
DEPARTURES FROM THE GUIDELINE RANGE¹
Fiscal Year 2017**

REASONS	N	%
Criminal history issues	744	32.3
General mitigating circumstances (§5K2.0)	332	14.4
Family ties and responsibilities (§5H1.6)	224	9.7
Mental and emotional conditions	94	4.1
Aberrant behavior (§5K2.20)	86	3.7
Age (§5H1.1)	78	3.4
Physical condition (§5H1.4)	74	3.2
Criminal history issues in application of §2L1.2	66	2.9
Previous employment record (§5H1.5)	40	1.7
Discharged terms of imprisonment (§5K2.23)	40	1.7
Time served/U.S. v. Barrera-Saucedo	37	1.6
Cultural assimilation	31	1.3
Rehabilitation	30	1.3
Insufficient documentation provided on SOR to determine reason	24	1.0
Party motion/agreement/consent (reason unspecified)	22	1.0
Role in the offense	20	0.9
Coercion and duress (§5K2.12)	19	0.8
Lack of youthful guidance/tragic or troubled childhood	19	0.8
Educational and vocational skills (§5H1.2)	18	0.8
Drug dependence/alcohol abuse (§5H1.4)	18	0.8
Low likelihood of recidivism/not a risk to community	14	0.6
General guideline adequacy issues	14	0.6
Convictions on related counts (§5G1.3)	14	0.6
Diminished capacity (§5K2.13)	12	0.5
Conduct while on release, bond, or supervision	11	0.5
Military record	11	0.5
Cooperation without motion (not §5K1.1)	11	0.5
Charitable service/good works	11	0.5
Not representative of the heartland	9	0.4
Deportation	8	0.3
Victim's conduct (§5K2.10)	7	0.3
Mitigating factors regarding illegal entry	7	0.3
Other	159	6.9
TOTAL	2,304	100.0

¹ Of the 66,873 cases, 1,142 received a downward departure from the guideline range. Courts may cite multiple reasons for sentencing outside the guideline range; consequently, the total number of reasons cited generally exceeds the total number of cases. In this table, 2,304 reasons were cited for the 1,142 cases. In 24 cases where the SOR was received, there was insufficient documentation provided to determine some of the reasons for the sentence. The "Other" category includes all reasons cited fewer than seven times among relevant cases. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2017 Datafile, USSCFY17.